

From: Herman
To: Mike Powell
Date: Tue, Feb 11, 2003 3:01 PM
Subject: Deregulation of Local Access Facilities

Dear Chairman Powell,

Last Friday's Washington Post carried an article in its Business Section stating, "We cannot expect [the phone companies] to invest in new facilities when they are required to share such facilities with competitors at below market prices." It strikes me this is at the heart of the local access deregulation controversy. However, I doubt that the solution currently advocated by the RBOCs (Regional Bell Operating Companies) and the LECs (Local Exchange Carriers) to stop the discounted sale of their facilities to their competitors is the answer, nor is the continued sale of local access circuits to the CLECs (Competitive Local Exchange Carriers) at discounted prices any better. I believe (for the reasons detailed below) that a better approach lies in divesting the RBOCs and the LECs of their local access operations and establishing those operations as regulated monopolies in each state offering local access circuits to all the competing companies at tariffed rates.

The Washington Post article further noted it is not realistic to expect capital investments in the local access infrastructure by any Competitive LECs on the scale needed for real competition in that market using today's copper and fiber based technology. The CLECs are focused primarily on serving concentrations of the largest business, government, and commercial users of telecommunications. Much has been done for those groups, but most telecommunications users must still depend upon the RBOC and LEC local access networks. **As** a result, the promise of real competition and the consequent price reductions that have typified the long distance market for all telecommunications users has not been achieved in the local access market.

The CLECs cannot afford, nor do they have the time to build a pervasive, competing local access network. It took 25 years, starting after the end of World War II, to build out the last half of the nation's local access infrastructure and thereby extending it to 90+ percent of the nation's homes and businesses. **As** a consequence, most residential users have not benefited from the limited competition that currently exists in the local access market and he/she does not have the variety of choice that would exist in the truly competitive long distance market. Competition in local access is primarily only growing to the extent that Local Public Service Commissions rule that the RBOC and LEC local access facilities must be made available to competitors below their retail prices.

All this results in a de facto monopoly for the RBOCs and LECs in local access service, which must be the "cash cow" fueling investments in a variety of ventures. If there is any question of what local access revenues mean to them, open the Telephone Directory and start paging through it. My guess is that every name in the Directory is providing something on the order of \$30 to \$35 revenue each and every month. In the past, the assurance of that steady revenue stream made possible the connection of every home to the current local access network. The RBOCs and LECs promise (once regulatory relief is granted) they will upgrade their local access networks, but in the absence of regulation, how can that be guaranteed and

how will competitive pricing be encouraged?

It seems to me the answer lies in considering the electric industry's deregulation model. Generation of electricity (read long distance) was deregulated, while distribution (read local access) continues, for all practical purposes, as a local regulated monopoly. It seems to me that is a model that ought to be considered and evaluated for the telecommunications industry.

Such a model envisions separating the RBOCs and other LECs into regulated and non-regulated entities. The local access facilities and switches would be part of the regulated entity. Rates would be set, as in the past, to recoup capital and expenses, plus a regulated rate of return. The service could then be sold to all comers (including the unregulated subsidiaries of those RBOCs and LECs). The question of any reluctance to invest in local access plant becomes mute (since a rate of return is "guaranteed").

RBOCs have made substantial capital investments in an array of competitive ventures since deregulation. With this model, we are assured that the capital available from local access operations will be used for local access upgrading. This approach would, I believe, assure true competition in the local access market, and achieve significant reductions in local access pricing.

It should be noted, that local access competitors have already gained a small share of the local access market and achieved some measure of competitive inroads into the RBOC and LEC markets in the current environment using the RBOC and LEC local access facilities. This is admittedly an awkward arrangement, fraught with the kinds of problems cited in the Washington Post article. Most important, it does not hold the promise of wide spread availability of improved local access services, nor does it provide the fundamentals for the most effective price competition.

The unknown in all this is what future technologies may come on the scene to alter the current need for extraordinary capital outlays by the CLECs to build their own local access networks. While a consideration, it is too clouded with uncertainty to impact decisions today about the current situation.

Thank you,
Herman Anschuetz

FYI: I have been retired for 12 years from ATLT, after working 35 years at Chesapeake & Potomac Telephone Co. until Divestiture and then at ATLT for 6 more years as we moved into a competitive business model. I held various mid-level Field Operations Management positions.

CC: Kathleen Abernathy, Michael Copps. KM KJMWEB. Commissioner Adelstein

From: J. L. Roberts
To: J. L. Roberts
Date: Tue. Feb 11, 2003 11:24 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Graham

Senator Nelson

Representative Brown-Waite

Message text follows:

J. L. Roberts
5914 Jessup Dr.
Zephyrhills, FL 33540

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

J. L. Roberts

From: jeffrey
To: Commissioner Adelstein
Date: Tue, Feb 11, 2003 12:00 PM
Subject: Comments to the Commissioner

jeffrey (smith) writes:

I am concerned about a very important issue, UNE-P.

I am concerned as a consumer and as an employee of SBC.

I am concerned because the inherent dangers affiliated with allowing federal and state regulators to direct the outcome on this issue is frightening. This should be decided economically based on consumer demand.

I am concerned for my employment with a company that provides my family and me a means to remain above poverty. I am not overly fond of my employer, and not always in agreement with the direction in which they choose to proceed Except on the issue of so-called competition and the UNE-P guidelines.

I am concerned as a consumer of the services SBC provides, or would provide, if not for the UNE-P guidelines and the false competition that is responsible for the lack of investment and implementation of the services I would like to have.

I am concerned as a consumer about the level of services I am receiving. I know that there are advances and improvements that could, and would, be made to provide me better Internet and communications services. I also know that due to the economic and legislative environment SBC is being forced to endure that the quality of the network is not being maintained or improved.

I am concerned as a consumer that state and federal regulators do not have my best interests in mind.

I require three things;

Dial Tone-when I want to call emergency services.

DSL availability-so my time is not wasted with slow connections.

Secure Employment with a company that I am confident in their financial integrity.

It is appalling to me that in America, where the sense of equality and fairness are supposed to be the minimum that we will accept, UNE-P and the false competition it breeds are allowed to exist.

There are some rules in which I believe are the basics for sound and productive endeavors

If it costs nothing then that is probably what it is worth, When you get discount services from a middleman are you really getting the service you are paying for? Or in fact are you just making someone else wealthy at your expense? I prefer to go to the source for my services, because when I have a problem I want the people that can fix it to be the people that I talk to the first time.

If you want quality you have to pay for it. I like knowing that qualified individuals are responsible for installing and maintain the services I use. I like the security that comes from knowing I can trust the work, workmanship, and the workers that may be involved, or that involve my personal property. I do not want just anyone to be connecting my house to a network that has potential dangers if it is not correctly installed and maintained. I do not mind paying for quality, I do mind paying for stupidity

If you are in business you have to make a profit to succeed and to survive. SBC has always been a good investment and a sound employer, until UNE-P. Because of the biased guidelines that allow competitors to target specific customers, undercut rates, and not be responsible for investing, improving and maintaining

The network, which provides the means for their income, SBC. has been forced to make drastic changes in its work force and investment strategies. How can it be allowable for a company to fail due to regulations that are little more than legalized burglary? The rules that allow imaginary competition and bogus financial returns are not sound business concepts and should not be practiced much less endorsed.

If these UNE-P guidelines are so wonderful then let's apply them to all business. I should be allowed to use

them to sell hamburgers. McDonald's restaurants are a monopoly that I cannot compete against, there for I should be able to utilize their buildings, suppliers and employees to produce their product, which they must **sell** to me at a discount, so I can resell it and make a profit. And if there **is** a problem then McDonald's is responsible. Do you see the foolishness?

Some may believe that because they have paid their phone bill that they "own" a piece of the telephone network. You are paying for the service provided on those lines, not the lines or the poles or the labor involved. SBC covers the up-front charges for providing service based on the possibility of long-term returns. I do not want the responsibility of ownership of such a vast and complex network. Others may think that they deserve a lower rate or fee charged to them for the services that they enjoy. I can not fault them for wanting to save their money. I can fault them for being part of the parasitical environment that has the probability for depriving me of the services I require. Although, I believe that if SBC is allowed to compete for consumer dollars and allowed to compete fairly for all telecommunications services provided that the discounts will **be** sufficient and consumer driven. **We** all will win. We will have quality networks, advances in technology and the services t!

hey provide, and one point of co

ntact for resolving the issues that may arise, at a rate that is competitive and equitable.

You may be afraid of a "monopoly", but you are not forced to unfairly endure what you do not want, you as a customer, have what SBC does not have, a choice. You can get your cell phone and wireless or cable DSL to meet all your communications services from other vendors if you think SBC is not meeting your needs. SBC does not have a viable choice in this matter, they are forced to concede to, and endure the legislative and economical foolishness of UNE-P guidelines.

SBC employs people that give their time and money to many endeavors that benefit the communities in which they serve. SBC is not here just for the money; as a corporation SBC is involved with and supports many organizations. The employees of SBC are the proof and the guardian of that concept also. If this issue is not resolved with consideration for all concerned, the economical fallout will be devastating to more than SBC and its employees.

There are many facets to this situation. No one knows what the future holds, but if I were given a choice I would want to be sure that the political, economical and equitable factors are considered and the deviant and detrimental are eliminated. And if an error was to be made I would error on the side of the consumer, and the community as a whole. We can not justify enriching the few at the cost to the many. It would not be fair to SBC. its employees or its remaining loyal customers.

Jefrey Smith
St. Louis, MO
SBC employee
6362560119

Server protocol: HTTP/1.0
Remote host: 144.160.98.29
Remote IP address: 144.160.98.29

From: jeffrey smith
To: Commissioner Adelstein
Date: Tue, Feb 11.2003 12:00 PM
Subject: Comments to the Commissioner

jeffrey smith (jefreys@yahoo.com) writes:

I am concerned about a very important issue, UNE-P.

I am concerned as a consumer and as an employee of SBC.

I am concerned because the inherent dangers affiliated with allowing federal and state regulators to direct the outcome on this issue is frightening. This should be decided economically based on consumer demand.

I am concerned for my employment with a company that provides my family and me a means to remain above poverty I am not overly fond of my employer, and not always in agreement with the direction in which they choose to proceed. Except on the issue of so-called competition and the UNE-P guidelines.

I am concerned as a consumer of the services SBC provides, or would provide, if not for the UNE-P guidelines and the false competition that is responsible for the lack of investment and implementation of the services I would like to have.

I am concerned as a consumer about the level of services I am receiving. I know that there are advances and improvements that could, and would, be made to provide me better Internet and communications services. I also know that due to the economic and legislative environment SBC **is** being forced to endure that the quality of the network is not being maintained or improved.

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Jefrey Smith
St. Louis, MO
SBC employee
6362560119

Server protocol: HTTP/1.0
Remote host: 144.160.98.29
Remote IP address: 144.160.98.29

From: John Browning
To: John Browning
Date: Tue, Feb 11, 2003 8:37 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Feinstein

Senator Boxer

Representative Royce

Message text follows:

John Browning
6442 Cathay Cir
Buena Park, CA 906204402

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here]

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. **As** a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

John Browning

From: John Gibson
To: Commissioner Adelstein
Date: Tue, Feb 11.2003 7:26 PM
Subject: Comments to the Commissioner

John Gibson (indygib@comcast.net) writes:

Keep up the fight to mandate that the "baby bells" be forced to open up their areas to competition before they can get it no long distance. The decision making power for that should remain with the STATE regulatory agencies, not at the federal level.
Thank you.

Server protocol: HTTP/1.1
Remote host: 68.57.204.143
Remote IP address: 68.57.204.143

From: John Gilliland
To: John Gilliland
Date: Tue, Feb 11, 2003 9:01 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Schumer

Senator Clinton

Representative Sweeney

Message text follows:

John Gilliland
20 Sundance Drive
Saratoga Springs, NY 12866

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

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Sincerely,

John W. Gilliland

From: Jon Loehman
To: Jon Loehman
Date: Tue. Feb 11, 2003 9:34 PM
Subject: Proposed FCC Changes

Message sent to the following recipients:

Senator Hutchison
Senator Cornyn
Representative Smith
Message text follows:

Jon Loehman
900 yaupon valley rd
austin. TX 78746-3550

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here]

I am a member of AARP and have some knowledge of this issue. I believe that AARP is misrepresenting the position in that it claims that this will result in the deregulation of local phone service, which it will not. I have raise the issue with AARP. Nevertheless, AARP continues to misrepresent this matter.

I disagree with AARP's position on this matter

Sincerely,

Jon Loehman

From: Kathryn Grube
To: Kathryn Grube
Date: Tue, Feb 11, 2003 3:17 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Miller

Senator Chambliss

Representative Burns

Message text follows:

Kathryn Grube
315 Dogwood Trail
Statesboro, GA 30461

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

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Sincerely

Kathryn Grube

From: Kevin Mashburn
To: Kevin Mashburn
Date: Tue, Feb 11, 2003 8:41 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Bond

Senator Talent

Representative McCarthy

Message text follows:

Kevin Mashburn
17 E. 53rd Terrace
Kansas City, MO 64112

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission **is** considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

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Sincerely

Kevin Mashburn

From: KMitch679O@aol.com
To: Mike Powell
Date: Tue, Feb 11, 2003 9:43 **AM**
Subject: fcc ruling

I am very happy with the smaller bell company I am with now they give good service along with a much more affordable price for my small business and home. So in my opinion they must ~~stay~~ to give competition to the ma bells.

Thank You
Craig Mitchell

From: KMitch6790@aol.com
To: Commissioner Adelstein
Date: Tue, Feb 11, 2003 9:56 AM
Subject: fcc ruling

I am with a baby bell for my small business and home they are much more affordable and give good service the ma bells need competition so let them stay

Thank You
Craig Mitchell

From: Lisa Bozarth
To: Mike Powell
Date: Tue, Feb 11, 2003 6:43 PM
Subject: UNE-Platform

Please see attached letter.

Thank you,

Lisa Bozarth
Executive Sales Assistant

Access One Incorporated
820 W Jackson Boulevard
6th Floor
Chicago, IL 60607
312.441.1000
~~312.441.1000~~ fax

www.accessoneinc.com



February 5th, 2003

Dear Chairman Michael Powell:

I ask your support for the continued availability of the "UNE-Platform."

My company, Access One, offers local telephone service in the SBC territories. The company has achieved increasing success largely because it utilizes the combination of "unbundled network elements" – the UNE-Platform - to serve customers. It is absolutely critical that we have continued access to the UNE-Platform to remain competitive.

Unfortunately, the Regional Bell Operating Companies have launched a full-scale attack on the UNE-Platform, realizing it is a major threat to their continued market dominance. Their strategy is to impose certain restrictions on individual network elements that would destroy the competitive value of the UNE-Platform. If the RBOCs succeed, it will all but end any chance for consumers to enjoy the benefits of meaningful competition in local phone service.

Please oppose any effort at the Federal Communications Commission or at state agencies to limit the availability of the UNE-Platform. The UNE-Platform should be firmly and permanently established as a viable service option for competitive telecom carriers.

Thank you very much for your time and attention to this important matter.

Sincerely,

Lisa M. Bozarth
Executive Sales Assistant
Access One Incorporated

From: Lloyd Conaway
To: Lloyd Conaway
Date: Tue, Feb 11, 2003 4:03 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Dayton

Senator Coleman

Representative Oberstar

Message text follows:

Lloyd Conaway
9235 Old Hwy 169
Mountain Iron. MN 55768

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

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Sincerely,

Lloyd Conaway

From: Louise Fawcett
To: Louise Fawcett
Date: Tue, Feb 11, 2003 2:27 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Feinstein

Senator Boxer

Representative Herger

Message text follows:

Louise Fawcett
PO Box 123
Gazelle, CA 96034

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

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Sincerely,

Louise Fawcett

From: Marietta Seay
To: Marietta Seay
Date: Tue, Feb 11, 2003 9:48 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Lincoln

Senator Pryor

Representative Berry

Message text follows:

Marietta Seay
13 W. Lakeshore Drive
Cherokee Village, AR 72529-4211

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Marietta Seay

From: Maxbenjam@aol.com
To: Kathleen Abernathy. Michael Copps. KM KJMWEB. Commissioner Adelstein
Date: Tue. Feb 11, 2003 8:33 AM
Subject: PLEASE GIVE ME MORE LOCAL PHONE SERVICE COMPETITION

Commissioners,

I live in Brooklyn, New York. a fair sized burg of some 2 million people, part of the larger entity New York City (pop. 8 million +). I AM A VICTIM OF VERIZON'S HORRIBLE HORRIBLE SERVICE (OUTRAGEOUS RATES (\$47/mo. for local phone use), BAD/NONEXISTENT CUSTOMER SERVICE)...AND I HAVE LITTLE/NO CHOICE.

This strikes me **as** decidedly un-American. Verizon **does/is** doing what any Monopolist will do- no competition = **do** the minimum you need to do for service, charge the highest rates tenable, make big fat profits.

Where is the competition?

Bring back the Old AT&T- at least they were highly regulated. My monthly phone service is costing me more than I can remember.

I implore you kind sir. please use the wisdom and weight of your office to bring LOCAL PHONE SERVICE COMPETITION to my little town, and to the rest of our great nation.

respectfully,

Max Benjamin
249 6th Avenue
Brooklyn, N.Y. 11215

From: Melvin Banks
To: Commissioner Adelstein
Date: Tue, Feb 11, 2003 9:11 AM
Subject: Comments to the Commissioner

Melvin Banks (Ebony.Financier@verizon.net) writes:

Commissioner Adelstein,

As a telephone customer that grew in rural Mississippi and now live in New York City, I can understand your support for giving state regulators more latitude in setting telecom policies. But the fact of the matter is, that state regulators oftentimes have no more vested interest in fairness than lobbyists. It should come as no allusion to you that CLECs have no interest in serving rural, poor, underservice communities, but rather the most profitably customers. After all, they have a documented history of creamskimming. I urge you to support Chairman Powell's proposal in leveling the playing field. Big incumbent telephone companies are the provider of last resort for many (if not most) rural, poor, underserved areas of our country from Bangor, Maine Shaw. Mississippi to New Madrid, MO to Fargo, South Dakota to Boise Idaho.

I think Chairman Powell's tradeoff --- allowing CLECs and other long-distance companies to lease the core network at artificially low prices in exchange for full deregulatory relief

for the fiber networks is a fair compromise. Fiber networks can be built today by virtually any company, surely CLECs should be able to compete on solid business models and not governmental welfare. Support Chairman Powell for full regulatory relief.

Thanks
Melvin Banks
P. O. Box 652
Shaw, MS 38773

Server protocol: HTTP/1.1
Remote host: 166.68.134.175
Remote IP address: 166.68.134.175

From: Nile Harter
To: Nile Harter
Date: Tue. Feb 11, 2003 3:17 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Miller

Senator Chambliss

Representative Isakson

Message text follows:

Nile Harter
731 Butlers Gate
Marietta, GA 300684207

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

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Sincerely,

Nile L. Harter Jr.

From: nobody@infoserver.fcc.gov
To: Commissioner Adelstein
Date: Tue, Feb 11, 2003 12:18 AM
Subject: <No Subject>

() writes:

I mean honestly, you work for the AMERICAN PEOPLE, not VERIZON. BLS, Q and SBC! Don't you ever forget that. You better keep line sharing as it is today or you will be making a huge mistake!

Another day postponed! This is crazy. Your office at the FCC is bigger than my house that my brother, mother and myself share. If you take away line sharing and I have only the bells as an option for DSL, they will be able to charge anything! THINK!!!!!!!!!!

Tell pretty boy Martin to do so as well.

Server protocol: HTTP/1.1
Remote host: 209.6.27.17
Remote IP address: 209.6.27.17

From: Ota Cervenka
To: Ota Cervenka
Date: Tue, Feb 11, 2003 5:23 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Durbin

Senator Fitzgerald

Representative Biggert

Message text follows:

Ota Cervenka
350 Leicester Ct
Bolingbrook, IL 60440

February 11, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. **As** a constituent, I urge you to support competition and open access for local phone service.

Sincerely.

Ota Cervenka